

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DALE RAYMOND WINNIE,

Defendant.

INDICTMENT

The Grand Jury charges:

COUNT 1
(Stalking)

Between about October 2013 and about April 2015, in Calhoun County, in the Southern District of the Western District of Michigan, and elsewhere,

DALE RAYMOND WINNIE

did, with the intent to harass a person, use an interactive computer service and electronic communication system of interstate commerce to engage in a course of conduct that caused and would be reasonably expected to cause substantial emotional distress to that person.

Specifically, the defendant used the Internet to distribute pornographic pictures of and sexually explicit messages about another person against her wishes and with the intent to harass her, and that person suffered and could reasonably have been expected to suffer substantial emotional distress as a result.

18 U.S.C. § 2261A(2)(B)

18 U.S.C. § 2261(b)(5)

COUNT 2

(Access with Intent to View Child Pornography)

Between about November 1, 2012, and about July 13, 2015, in Calhoun County, in the Southern Division of the Western District of Michigan, and elsewhere,

DALE RAYMOND WINNIE

knowingly accessed a computer with the intent to view images of child pornography, including images of prepubescent children. Such images include, but are not limited to, one or more of the following:

1. Carved[19228238].jpeg;
2. Carved[19323034].jpeg;
3. Carved[19363516].jpeg;
4. Carved[19498542].jpeg;
5. Carved[19608196].jpeg;
6. Carved[19613414].jpeg;
7. Carved[19624586].jpeg; and
8. Carved[19631502].jpeg.

Such depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, including, but not limited to, an Asus laptop made in China and a hard drive made in Thailand.

18 U.S.C. § 2252A(a)(5)(B) and (b)(2)

18 U.S.C. § 2256(8)(A)

FORFEITURE ALLEGATION

(Access with Intent to View Child Pornography)

The allegations contained in Count 2 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 2253.

Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of 18 U.S.C. § 2252A,

DALE RAYMOND WINNIE

shall forfeit to the United States of America any visual depiction described in 18 U.S.C. § 2252A; any matter which contains any such visual depiction that was produced, transported, mailed, shipped, and received in violation of Title 18, United States Code, Chapter 110; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses or any property traceable to such property. The property to be forfeited, as to all counts, includes, but is not limited to, the following:

- a. Asus laptop computer (Serial Number D1N8AS51794204E); and
- b. Internal hard drive (Serial Number 13HUN7HA).

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b) and by 28 U.S.C. § 2461(c).

18 U.S.C. § 2253
21 U.S.C. § 853(p)
28 U.S.C. § 2461(c)
18 U.S.C. § 2252A
18 U.S.C. § 2256(8)(A)

A TRUE BILL



GRAND JURY FOREPERSON

PATRICK A. MILES, JR.
United States Attorney



TESSA K. HESSMILLER
Assistant United States Attorney